

**QUINN EMANUEL URQUHART & SULLIVAN LLP**

Diane Doolittle (Cal. Bar No. 142046)

dianedoolittle@quinnemauel.com

555 Twin Dolphin Dr., 5th Floor

Redwood Shores, California 94065

Telephone: (650) 801-5000

Facsimile: (650) 801-5100

*Attorneys for Plaintiffs*

(additional counsel listed on signature page)

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

ASHTON WOODS HOLDINGS, L.L.C.;	)	CASE NO. 4:15-cv-01247-HSG
BEAZER HOMES HOLDINGS CORP.;	)	
CALATLANTIC GROUP, INC.; D.R. HORTON	)	Hon. Haywood S. Gilliam, Jr.
LOS ANGELES HOLDING COMPANY, INC.;	)	
HOVNANIAN ENTERPRISES, INC.; KB	)	
HOME; MERITAGE HOMES CORPORATION;	)	<b>PLAINTIFFS' AND L&amp;W'S</b>
M/I HOMES, INC.; PULTE HOME	)	<b>STIPULATION REGARDING</b>
CORPORATION; THE DREES COMPANY;	)	<b>AUTHENTICITY AND</b>
TOLL BROTHERS, INC.; TRI POINTE	)	<b>ORDER</b>
HOMES, INC.,	)	

Plaintiffs,

vs.

USG CORPORATION; UNITED STATES  
GYPSUM COMPANY; L&W SUPPLY  
CORPORATION; NEW NGC, INC.; LAFARGE  
NORTH AMERICA, INC.; CONTINENTAL  
BUILDING PRODUCTS, INC.; CERTAINTEED  
GYPSUM, INC.; AMERICAN GYPSUM  
COMPANY LLC; TIN, INC., d/b/a TEMPLE-  
INLAND, INC.; PABCO BUILDING  
PRODUCTS, LLC.,

Defendants.

**STIPULATION**

Plaintiffs Ashton Woods Holdings, L.L.C., Beazer Homes Holdings Corp., CalAtlantic Group, Inc., D.R. Horton Los Angeles Holding Company, Inc., Hovnanian Enterprises, Inc., KB Home, Meritage Homes Corporation, M/I Homes, Inc., Pulte Home Corporation, The Drees Company, Toll Brothers, Inc., and TRI Pointe Homes, Inc. (collectively, "Plaintiffs") and Defendant L&W Supply Corporation ("L&W") stipulate as follows:

WHEREAS, on April 2, 2021, Plaintiffs and L&W signed a binding term sheet setting forth an agreement to settle all matters in controversy between the parties;

WHEREAS, Plaintiffs continue to litigate their claims against Defendant PABCO Building Products, LLC, and trial in this matter is set to begin on May 24, 2021;

WHEREAS, Plaintiffs may wish to use certain documents produced by USG and/or L&W at trial;

NOW, THEREFORE, the Parties hereby stipulate and agree to the following:

- Documents produced in this case by USG Corp., United States Gypsum Company, and L&W Supply Corporation (collectively, the "USG Entities") are true and correct copies of documents found in the USG Entities' business files.

**IT IS SO STIPULATED**

DATED: April 8, 2021

/s/ Gary T. Lafayette

**LAFAYETTE & KUMAGAI  
LLP**

Gary T. Lafayette (SBN 088666)  
glafayette@lkclaw.com  
1300 Clay Street, Suite 810  
Oakland, CA 94612  
Telephone: (415) 357-4600  
Facsimile: (415) 357-4605

Respectfully submitted,

/s/ Kevin Y. Teruya

**QUINN EMANUEL URQUHART &  
SULLIVAN LLP**

Diane Doolittle (Cal. Bar No. 142046)  
dianedoolittle@quinnemauel.com  
555 Twin Dolphin Dr., 5th Floor  
Redwood Shores, California 94065  
Telephone: (650) 801-5000  
Facsimile: (650) 801-5100

**BARTLIT BECK LLP**

Philip S. Beck (*pro hac vice*)  
 philip.beck@bartlitbeck.com  
 Rebecca Weinstein Bacon (*pro hac vice*)  
 rweinstein.bacon@bartlitbeck.com  
 Joshua P. Ackerman (*pro hac vice*)  
 joshua.ackerman@bartlitbeck.com  
 Tulsi E. Gaonkar (*pro hac vice*)  
 tulsi.gaonkar@bartlitbeck.com  
 54 West Hubbard Street, Suite 300  
 Chicago, IL 60654  
 Telephone: (312) 494-4400  
 Facsimile: (312) 494-4440  
 Lester C. Houtz (*pro hac vice*)  
 lester.houtz@bartlitbeck.com  
 Sundeep K. Addy (*pro hac vice*)  
 rob.addy@bartlitbeck.com  
 1801 Wewatta Street, Suite 1200  
 Denver, CO 80202  
 Telephone: (303) 592-3100  
 Facsimile: (303) 592-3140

*Counsel for Defendant L&W Supply Corporation*

Bruce Van Dalsem (Cal. Bar No. 124128)  
 brucevandalsem@quinnemanuel.com  
 Kevin Y. Teruya (Cal. Bar No. 235916)  
 kevinteruya@quinnemanuel.com  
 Adam B. Wolfson (Cal. Bar No. 262125)  
 adamwolfson@quinnemanuel.com  
 865 S. Figueroa, 10th Floor  
 Los Angeles, CA 900017  
 Telephone: (213) 443-3000  
 Facsimile: (213) 443-3100

**BRS LLP**

Keith L. Butler (Cal. Bar No. 215670)  
 kbutler@brsllp.com  
 Cindy Reichline (Cal. Bar No. 234947)  
 creichline@brsllp.com  
 12100 Wilshire Blvd., Suite 800  
 Los Angeles, CA 90025  
 Telephone: (818) 292-8616

*Attorneys for Plaintiffs*

**ORDER**

Pursuant to the parties' stipulation, it is so **ORDERED**. Documents produced in this case by USG Corp., United States Gypsum Company, and L&W Supply Corporation (collectively, the "USG Entities") are true and correct copies of documents found in the USG Entities' business files.

Date: 4/9/2021



Hon. Haywood S. Gilliam, Jr.

United States District Judge